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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,874	06/08/2001	Kenji Ota	500.40197X00	7203

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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER	
ZHONG, CHAD	

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/875,874	OTA ET AL.	
	Examiner	Art Unit	
	Chad Zhong	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/20/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-12 are presented for examination.

2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 5-7, 9 are rejected under 35 U.S.C. 103(a) as being anticipated by Natarajan et al. (hereinafter Natarajan), US 6,584,502, in view of Garg et al. (hereinafter Garg), US 2001/0052087.

5. As per claim 1, Natarajan teaches a method to identify a computer system, comprising:

a step of acquiring identification information constituted by a plurality of identification items from an identification-target computer system (Col. 8, lines 7-20);

a step of comparing, in accordance with said identification items, said acquired identification information with identification information of identification-target computer systems registered in advance (Col. 15, lines 5-11; Col. 8, lines 65 – Col. 9, line 2; Abstract);

6. Natarajan does not explicitly teaches

a step of integrating coefficients about discordant ones of said identification items of said

identification information so as to obtain an integrated value, said coefficients being defined for said identification items respectively; and

a step of judging whether said identification-target computer system can be identified or not, on the basis of said integrated value and a predetermined threshold value.

7. Garg teaches

a step of integrating coefficients about discordant ones of said identification items of said identification information so as to obtain an integrated value, said coefficients being defined for said identification items respectively ([0050]); and

a step of judging whether said identification-target computer system can be identified or not, on the basis of said integrated value and a predetermined threshold value ([0005], [0006], [0046], [0043]; [0041]; here, Garg's system is comparing similar set of data by reducing set of data into signature, matching is based on similarities between signature, providing an efficient way to compare up to date information.).

8. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Natarajan and Garg because they both dealing with monitoring of network statuses in the system. Furthermore, the teaching of Garg to allow

a step of integrating coefficients about discordant ones of said identification items of said identification information so as to obtain an integrated value, said coefficients being defined for said identification items respectively; and

a step of judging whether said identification-target computer system can be identified or not, on the basis of said integrated value and a predetermined threshold value.

would improve the efficiency of Natarajan's system by allowing the system to periodically compare a single value rather than a range of values, thus improving processing speed as well as potential storage problems.

9. As per claim 5, Claim 5 is rejected for the same reasons as rejection to claim 1 above.

10. As per claim 6, Natarajan teaches a method according to claim 5, wherein:

in said step, it is concluded that said acquired identification information is allowed to be registered and said acquired identification information is registered when said integrated value is not smaller than said threshold value (Col. 17, lines 35-50).

11. As per claim 7, claim 7 is rejected for the same reasons as rejection to claim 1 above.

12. As per claim 9, claim 9 is rejected for the same reasons as rejection to claim 1 above.

13. As per claim 11, claim 11 is rejected for the same reasons as rejection to claim 1 above.

14. Claims 2-4, 8, 10, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natarajan et al. (hereinafter Natarajan), US 6,584,502, in view of Garg et al. (hereinafter Garg), US 2001/0052087 further in view of Cox et al. (hereinafter Cox), US 5,535,335.

15. As per claim 2, Natarajan teaches a method according to claim 1, wherein said step includes:

a step of concluding that said identification-target computer system can be identified when said integrated value is 0 (Col. 7, lines 25-30; Abstract).

16. Natarajan and Garg does not teach:

a step of concluding that said identification-target computer system cannot be identified when said

integrated value is not smaller than said threshold value.

17. Cox teaches

a step of concluding that said identification-target computer system cannot be identified when said integrated value is not smaller than said threshold value (Col. 7, lines 1-15).

18. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Natarajan, Cox and Garg because they all deal with monitoring of network statuses in the system. Furthermore, the teaching of Cox to allow

a step of concluding that said identification-target computer system cannot be identified when said integrated value is not smaller than said threshold value.

would improve the documentation capabilities of Natarajan and Garg's system by allowing unknown nodes to be registered after their discovery. Further, this addition of new network nodes would be an inherent characteristic for Natarajan's system due to the fact that, during initialization there are plurality of network elements registering to the server, thus to avoid duplication an initial screening prior to registering, the registration of unknown would have been inherent.

19. As per claim 3, claim 3 is rejected for the same reasons as rejection to claim 2 above.

20. As per claim 4, Natarajan and Garg does not explicitly teach a method according to claim 3, wherein:

it is concluded that said identification-target computer system can be identified when the number of said discordant identification items of said identification information is 1.

21. Cox teaches

it is concluded that said identification-target computer system can be identified when the number of

said discordant identification items of said identification information is 1 (Col. 8, claim 1).

22. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Natarajan, Garg and Cox because they all deal with monitoring of network statuses in the system. Furthermore, the teaching of Cox to allow

it is concluded that said identification-target computer system can be identified when the number of said discordant identification items of said identification information is 1

would improve the identification capabilities of Natarajan and Garg's system by allowing nodes that has changes to be registered after their discovery. Further, this addition of new network nodes would be an inherent characteristic for Natarajan and Garg's system. Natarajan teaches of registration/update after a discovery of a change network element's properties. Applicant discloses of value greater than 1 and less than threshold would constitute a change in the network element. Natarajan teaches the same characteristics, while Cox explicitly put this portion in writing.

23. As per claim 8, Natarajan teaches a method according to claim 7, wherein:

said identification information includes any one of identification information items of computer name, IP address, MAC address and processor type of said user system (Col. 8, lines 5-20);

weighting coefficients set for said identification information items respectively and a threshold value for judging whether a registered user can be identified or not are registered in said center system (Col. 16, lines 55-67);

said acquired identification information is compared with said identification information registered in said center system, in accordance with said identification information items (Col. 14, lines 10-15; Col. 14, lines 55-60; Col. 15, lines 7-11);

said weighting coefficients are integrated about discordant ones of said identification information items so as to obtain an integrated value(Col. 8, lines 5-30);

said integrated value is compared with said threshold value (Abstract); and

24. Natarajan and Garg does not explicitly teaches

said user system is identified as an unregistered user when said integrated value is not smaller than said threshold value.

However, this issue was discussed in regards to claims 2 and 3 above.

25. As per claim 10, claim 10 is rejected for the same reasons as rejection to combination of claims 8, 7 and 1 above.

26. As per claim 12, claim 12 is rejected for the same reasons as rejection to claim 8 above.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "APPARATUS AND METHOD TO IDENTIFY COMPUTER SYSTEM".

i.	US 2001/0052087	Garg et al.
ii.	US 5,887,140	Itsumi et al.
iii.	US 5,282,506	Oouchi
iv.	US 4,790,005	Hanselka et al.
v.	US 2002/0082967	Kaminsky et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
August 12, 2004